

**Woodstock Zoning Board of Appeals
Tuesday, March 24, 2015
Regular Meeting– 7:07 p.m.
Town of Woodstock Town Hall, lower level, Meeting Room B**

MINUTES

I. Monthly Meeting

- a. Call to Order – Meeting was called to order by Chair Martin Nieski 7:10 p.m.
- b. Roll Call – Martin Nieski, Suzanne Woodward, Robert Laurens, Mary St. Onge, Ray Smith, William Brower, Tina Lajoie, (ZBA Clerk)
- c. **15-01 Jake Schneider / Earthlight Technologies, 411 Dugg Hill Rd. (Map 5165, Block 7, Lot 5B-5) – relief from the minimum front yard and side line setbacks for a structure (Solar PV ground mount), as shown in Zoning Regulations Article IV.A.2**

Martin Nieski reads the Public Hearing legal notice that was published in the Woodstock Villager on March 13 and March 20. Nate Roumanis and Jake Schneider are present on behalf of the property owner and Earthlight. N. Roumanis gives a brief presentation for ZBA. Property owners are considering Earthlight's proposal for photovoltaic ground mounted solar electric array to become self-reliant for their energy. The roof mounted system is not an option since they do not face proper orientation for the best efficiency. The layout of the property, wetlands, septic and leaching field limits the placement in an alternate spot. This plan keeps the system out and away from the wetland area however does encroach on the side and front yard setbacks on the property. The unit dimensions are 75' in length by 13' in width and approximately 9' in height. It is angled away from his house. Pictures of similar installations are shown. A letter was received from the neighbor, Ronald & Jennifer Burrell, to the building office on March 16, 2015, opposing this variance since they are an abutting property owner and on the side that would be directly affected by this 10' variance request. Based on this opposition, an alternate location was sought and considered, but there would still be a variance requested for the sideline and a wetlands permit would also be required. T. Lajoie (Wetlands Clerk) states that the wetlands upland review area is 100 feet and an Agent Sign-off could be granted for this type of disturbance. Possible alternate placement and unit sizes are discussed. Public input: Steve Clark, neighbor is present and opposes this project because of the location being so close to the property line. He resides on the opposite side of the property and thinks a better location would be in the back yard. No additional questions. **MOTION BY WILLIAM BROWER TO CLOSE THE PUBLIC HEARING (7:35 P.M.), SECONDED BY SUZANNE WOODWARD. MOTION CARRIED UNANIMOUSLY.**

II. Designation of Alternates – Mary St. Onge

**III. Review of minutes – February 24, 2015
MOTION BY WILLIAM BROWER TO APPROVE THE MINUTES AS**

PRESENTED, SECONDED BY SUZANNE WOODWARD. MOTION CARRIED UNANIMOUSLY.

IV. Unfinished Business

c. 15-01 Jake Schneider / Earthlight Technologies, 411 Dugg Hill Rd. (Map 5165, Block 7, Lot 5B-5) – relief from the minimum front yard and side line setbacks for a structure (Solar PV ground mount), as shown in Zoning Regulations Article IV.A.2

MOTION BY SUZANNE WOODWARD TO DISAPPROVE THE VARIANCE REQUEST (15-01), SECONDED BY ROBERT LAURENS. It is the general consensus that this would be considered a self-imposed hardship and doesn't meet the criteria for approval. MOTION CARRIED UNANIMOUSLY.

V. Organizational Meeting

a. Election of Officers

Nominations are as follows:

MOTION BY ROBERT LAURENS, SECONDED BY SUZANNE WOODWARD TO NOMINATE MARTIN NIESKI AS CHAIR. MOTION CARRIED UNANIMOUSLY.

MOTION BY WILLIAM BROWER, SECONDED BY ROBERT LAURENS TO NOMINATE MARY ST. ONGE AS VICE CHAIR. M. St. Onge currently alternate member and must be moved up to full status first.

MOTION BY WILLIAM BROWER, SECONDED BY ROBERT LAURENS TO MOVE MARY ST. ONGE UP TO THE FULL MEMBER VACANCY (PREVIOUSLY KEN EBBITT). MOTION CARRIED UNANIMOUSLY.

MOTION BY ROBERT LAURENS, SECONDED BY WILLIAM BROWER TO NOMINATE SUZANNE WOODWARD FOR SECRETARY. MOTION CARRIED UNANIMOUSLY.

MOTION BY ROBERT LAURENS, SECONDED BY WILLIAM BROWER TO NOMINATE MARY ST. ONGE AS VICE CHAIR. MOTION CARRIED UNANIMOUSLY.

b. Review of Bylaws

There was a previous request by S. Woodward to move the regular meeting date from the fourth Tuesday of the month to either the second or third due to a conflict. Okay with everyone to change to either the second or third Tuesday. T. Lajoie will check with the Town Clerk on the availability of the meeting room.

It is brought to the attention of ZBA that the application should be changed to be consistent with Zoning Regulations on the notification of abutters. Currently application states 300 feet but the regulations state the following: "The applicant shall also send a written notice of the pending application to all owners of a property (from records of the Town of Woodstock Assessor's office) within a 500-foot radius of each of the parcel's boundaries, at least 10 days prior to the public hearing, and shall provide a list of all the property owners and

of the letter sent to them, together with evidence of the mailing, to the Board at least five days prior to the hearing.”

MOTION BY WILLIAM BROWER, SECONDED BY ROBERT LAURENS TO CHANGE THE APPLICATION WORDING TO BE CONSISTENT WITH THE PZC REGULATIONS.

VI. Other

Suzanne Woodward stated that Frank Olah may be interested in joining ZBA and she will follow-up.

VII. Correspondence & Bills

VIII. Citizen’s Comments

Question is presented to PZC by Nate Roumanis asking if it would be the same outcome if the variance was requested for the other side. Both neighbors are opposed and still falls under self-imposed hardship.

IX. Adjournment

MOTION TO ADJOURN AT 7:43 P.M. BY SUZANNE WOODWARD, SECONDED BY WILLIAM BROWER. MOTION CARRIED UNANIMOUSLY.

Respectfully Submitted,

Tina M. Lajoie, Clerk
Zoning Board of Appeals